

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON TAXATION

Call to Order: CHAIRMAN JEFF ESSMANN, on January 8, 2009 at
8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Bradley Hamlett (D)
Sen. Christine Kaufmann (D)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Kim Gillan (D)
Sen. Bob Story Jr. (R)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 36, 1/2/2009; SB 43, 1/2/2009

Executive Action:

MONTANA DEPARTMENT OF REVENUE TAXATION PRESENTATION

00:00:45 Dan Bucks, Director, Montana Department of Revenue

EXHIBIT(tas04a01)

EXHIBIT(tas04a02)

EXHIBIT(tas04a03)

00:19:35 Sen. Gillan

00:19:54 Dan Bucks

EXHIBIT(tas04a04)

00:34:58 Sen. Story

00:35:20 Dan Bucks

00:36:15 Sen. Story

00:38:06 Dan Bucks

00:42:19 Gene Walborn, Administrator, Business and Income Tax
Division, Department of Revenue

00:48:03 Brian Stahley, Corporate Taxation Unit Manager,
Department of Revenue

EXHIBIT(tas04a05)

00:59:24 Sen. Brown

00:59:47 Brian Stahley

01:00:28 Sen. Erickson

01:01:01 Brian Stahley

01:01:45 Chairman Essmann

01:02:09 Brian Stahley

01:09:20 Sen. Black

01:09:41 Brian Stahley

01:11:34 Sen. Erickson

01:11:49 Brian Stahley

01:13:00 Recess

01:32:45 Reconvene

01:32:55 Chairman Essmann announced that Sen. Story and Sen.
Gillan will be excused during the hearings. Committee
Roll Call was taken at this time.

HEARING ON SB 43

Opening Statement by Sponsor:

01:34:37 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing
on **SB 43**, Revise list of countries considered tax
haven.

Proponents' Testimony:

01:40:35 Michael Green, Attorney, Crowley Fleck Attorneys,
representing Montana Taxpayers Association

01:41:22 Bob Decker, Executive Director, The Policy Institute,
Helena, Montana

Opponents' Testimony:

01:41:59 None

Informational Testimony:

01:42:06 Brian Stahley, Corporate Taxation Unit Manager,
Department of Revenue

Questions from Committee Members and Responses:

01:42:18 Sen. Black

01:42:46 Sen. Kaufmann

01:44:27 Sen. Tutvedt

01:44:42 Brian Stahley

Closing by Sponsor:

01:46:54

HEARING ON SB 36

Opening Statement by Sponsor:

01:48:06 SEN. RON ERICKSON (D), SD 47, opened the hearing on
SB 36, Revise waters edge provisions of corporation
taxes.

[EXHIBIT\(tas04a06\)](#)

[EXHIBIT\(tas04a07\)](#)

[EXHIBIT\(tas04a08\)](#)

[EXHIBIT\(tas04a09\)](#)

Proponents' Testimony:

02:06:47 Bob Decker, Executive Director, The Policy Institute,
Helena, Montana

Opponents' Testimony:

02:11:02 Michael Green, Crowley Fleck Attorneys, representing
Montana Taxpayers Association

Informational Testimony:

02:17:01 Brian Stahley, Department of Revenue

Questions from Committee Members and Responses:

02:17:18 Sen. Tutvedt
02:17:56 Mike Green
02:18:52 Sen. Kaufmann
02:19:27 Mary Whittinghill, Executive Director, Montana
Taxpayers Association
02:21:18 Sen. Erickson
02:22:10 Sen. Brown
02:22:22 Brian Stahley
02:23:18 Sen. Tutvedt
02:24:02 Brian Stahley
02:26:00 Sen. Tutvedt
02:26:21 Mike Green
02:27:20 Chairman Essmann
02:27:52 Mike Green
02:29:40 Sen. Kaufmann
02:29:59 Brian Stahley

Closing by Sponsor:

02:31:16

ADJOURNMENT

Adjournment: 10:35 A.M.

DEBRA POLHEMUS, Secretary

dp

Additional Exhibits:

EXHIBIT ([tas04aad.pdf](#))